

**Testimony of Robert Duval
National Fire Protection Association
to the Joint Committee on Public
Safety and Security regarding
HB 5749 - AN ACT CONCERNING REVISIONS TO THE
STATE BUILDING CODE
February 7, 2013**

Good morning. My name is Robert Duval and I am the New England Regional Director for the National Fire Protection Association (NFPA). As a representative of NFPA, I'm here to speak in opposition to HB 5749 and to advocate public safety through timely adoption of construction safety codes.

For years, private, not-for-profit standards development organizations (SDOs) like the National Fire Protection Association (NFPA) have worked closely with federal, state, and municipal levels of government to provide safety codes and standards that are suitable for adoption into regulatory legislation. Codes and standards developed and revised on a regular basis ensure that the latest advancements in safety related products and installation techniques are codified in order to provide agencies charged with the responsibility of public and building safety with the best and most up-to-date safety requirements. The success of this relationship between the private and public sector is demonstrated by the fact that NFPA codes and standards are adopted and enforced in all 50 states and in numerous foreign countries. NFPA's mission of, protecting persons and property against the burden of fire and other hazards has maintained the same focus since the organization was founded in 1896 and its codes and standards continue to evolve to meet the needs of society in a constantly changing world.

The NFPA codes and standards development consensus process is accredited by the American National Standards Institute (ANSI) and the foundation of this process is built on the fundamental tenants of openness, due process, transparency, and balance of represented interests. Approximately 7,000 volunteer subject matter experts populate NFPA's technical committees. The balanced technical expertise on NFPA's committees ensures that new requirements are thoroughly vetted and establish an acceptable benchmark for the necessary level of safety. The fact that proposals and other public input on recommended new requirements and revisions to current requirements can be submitted by anyone, without having to be a member of NFPA, is testament to the openness that is one of the cornerstones of the NFPA codes and standards development process.

One example of an NFPA Code that has been used to establish the minimum level of public safety for over 100 years is the National Electrical Code®. Adopted by various levels of government in all 50 states, the NEC has evolved concurrently with the expanded use of electricity in American homes and businesses. Safe interface with electrical equipment and devices is an expectation of our society and this safe interface does not happen by accident and should not be taken for granted. Electrical installations performed and inspected by qualified installers and inspectors, using equipment that has been constructed and certified to a product safety standard provide end users with the ability to safely power electrical equipment in homes, businesses, schools, recreational venues, and other locations where electric power is used by consumers.

Since 1959, the NEC has been revised on a three-year basis. This time frame provides time for thorough public input and review and for the technical committees to thoroughly disseminate the recommended change and allows the NEC to remain current and relevant.

As well as the code development process has worked in assuring that the NEC contains the most current electrical safety requirements, NFPA codes and standards need to be adopted in a timely manner by government and other agencies/entities charged with the responsibility of developing, adopting and enforcing requirements covering the safe use of electricity in homes, businesses and other occupancies in order for the public to derive the benefit of the work done through the codes and standards development process. This is where legislative bodies like yourselves can take action toward moving electrical safety forward. Leading edge technology such as that associated with *electric vehicles and alternative energy systems like solar photovoltaic and wind power must be*

installed and used safely in order for the public to derive their full benefit. The advancement of these types of systems requires continuous updating and review of regulatory documents in order to keep the requirements on par with current technology. Outdated requirements can pose roadblocks to implementation of important initiatives such as the current trend towards "green technologies". In addition, advancements in electrical equipment have made the systems that power our homes and workplaces even safer. The electrical industry is known for constantly moving forward in utilization and safety technology. The current 3-year revision cycle is more important than ever in making sure that the NEC is up-to-date.

By continuing to adopt the current edition of the NEC you provide your constituents with the following

- An electrical code that has kept pace and with changes and updates in electrical safety technology, methods, and products.
- An electrical code that has responded in a timely manner to industry and societal needs, i.e., ensuring minimum safety requirements are in place for wind and solar energies and making certain that expanding electric vehicle charging infrastructure will meet the demands of the industry and public safety.
- An electrical code that coordinates with other NFPA codes and standards as well as model codes and standards developed by other organizations.
- An electrical code that facilitates the implementation of a document that is up to date with current industry technology and methods.
- An electrical code that provides state and local licensing authorities with the ability to implement current and relevant requirements into licensing examinations and continuing education requirements.
- An electrical code that allows consumers to derive the benefit of electrical installations incorporating equipment and methods that provide the latest advancements in electrical safety.
- An electrical code that does not pose a barrier to implementation of new technologies.
- An electrical code that recognizes the latest electrical products and does not create a barrier for equipment manufacturers

An additional benefit of maintaining a progressive adoption schedule is its direct impact on property owners' insurance premiums. Building inspection departments are evaluated by the Insurance Services Office (ISO) based on use of up-to-date codes and standards.

In summary, adopting the latest edition of the NEC makes sure communities continue to provide an acceptable level of public safety while supporting the latest technological advances.

The NFPA codes and standards development process ensures timely updates are incorporated into all NFPA documents in order to stay current with evolving technology while maintaining an acceptable level of public safety with the built environment. Timely local and state adoption helps ensure citizens can safely use electrical energy where they live, work, and play.

Sincerely,

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